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# ◆ The Lamoine Quarterly ◆

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## Town Meeting Voters Elect New Selectman, School Committee Member

(Lamoine) — With a very high voter turnout in an election that coincided with the Presidential Primary, Lamoine voters elected S. Josephine Cooper as a Selectman, Tammy Dickey and Anne Gommel to the school board, and returned Colene Sharkey as Assessor and Hubene Brodie as Town Clerk/Tax Collector.

The race for Selectman was one of the most spirited in the past many years as four candidates filed papers to appear on the ballot. Cooper, a Thaddeus Lane resident, defeated incumbent Richard Davis by 8-votes, 187 to 179. David Herrick was favored by 48 voters, and Thomas Barr by 16 voters.

The School Committee race saw incumbent Hancock “Griff” Fenton topped by Tammy Dickey who received 296 votes and incumbent Anne Gommel who picked up 191 votes. Fenton received 156 votes and Jonathan Morren was favored by 145 voters.

Mrs. Sharkey picked up 342 votes running unopposed for the Assessor’s post, and Mrs. Brodie collected 409 votes in her unopposed election as Town Clerk/Tax Collector.

Mrs. Cooper took office on March 9th and Mrs. Dickey takes office on April 3rd, the next regular school board meeting.

A total of 454 ballots were cast in the election that was held on Presidential Primary Day, or a 43.28% turnout, much higher than the state average.

On the presidential ticket in Lamoine, Democrats favored Bill Bradley to Al Gore 75 to 49, and Republicans selected George W. Bush over John McCain in a 117 to 94 vote. Both McCain & Bradley dropped out afterwards. 231 Republicans (55%) and 136 Democrats (57%) cast votes, while 87 unenrolled voters cast ballots in the town meeting elections.

## Property Taxes Likely to rise after town meeting votes

(Lamoine) — Property tax payers can expect a bill approximately 17% higher for the 2000/2001 tax year following the budget votes at this year’s town meeting. A variety of factors will cause the projected increase to 10.8 mills (\$10.80 per \$1000 valuation). A number of factors may bring the rate down, slightly.

The biggest factor was less revenue from the school department side of the budget. The town meeting approved of using all the balance forward normally applied to the next year’s budget to offset projected shortfalls for the current year budget. Those shortfalls are blamed on increased personnel costs thanks to the new teacher contract and special education. General purpose aid to education from the

# Gas Tanks Rejected by Town Boards

State is expected to drop by \$35,000 as well. In all, the revenue from sources other than real estate tax fell by 10-percent from the current fiscal year.

Expenditures, on the other hand, rose sharply, especially in education and the County tax. Expenditures for education rose by 6.5%, or \$96,000. The County Tax assessment is up 17.09%, or \$8,275. The rest of the expenditure budget fell nearly \$26,000.

Some of the highlights of town meeting included retention of the requirement that budget articles be written in open-ended fashion (see page 2). Two agencies that receive contributions but did not submit their requests to the budget committee in time were funded on the floor of town meeting. Both Maine Coast Memorial Hospital and Loaves and Fishes Food Pantry will receive \$600 each.

Voters approved of a technology plan for the Lamoine School which will add a number of new personal computers to the school for \$26,080.

The factors that could reduce the tax rate include a better than expected assessment thanks to new building projects and a possible upward adjustment in state aid to education and municipal revenue sharing thanks to the large state surplus. The rate will be set in the summer.

## Voters say “Yes” to uncapped articles

(Lamoine) — In a turnout unprecedented in recent memory, nearly 200 voters rejected an attempt to return the power of the Selectmen to write articles with capped budget amounts. The measure was the first open town meeting article to be dealt with, and many said that’s what drew them to attend the annual open town meeting on Wednesday evening, March 8th.

The debate was lively in response to the article which would have overturned a referendum vote that passed last November by a 304-to-300 margin. The show of hands at open town meeting was by a much wider margin, and did not require a physical count by Moderator Harvey Kelley.

Proponents of the uncapped article question said they felt it was a matter of keeping the power in the hands of those who attend the town meeting. By having the articles uncapped, voters can either raise or lower the budget committee’s recommendation

on a budget article. When the Selectmen choose to write the articles with caps in place, the amount may only be lowered.

Selectman chair Glenn Crawford argued in favor of repealing the order passed by voters last November. Mr. Crawford said the authority of the Selectmen should not be taken away. He said the voters should replace those who hold the office instead.

The arguments were similar to those made at the public hearing prior to the referendum vote last November and speak to where the power to set the budget ought to lay. The vote, strongly in favor of keeping uncapped articles, would indicate that those who attend the town meeting feel the power to set the budget rests strictly with the voters, while looking to the Selectmen, School Committee and Budget Committee for guidance.

## What about the routine articles?

(Lamoine) — With so many new voters at the open town meeting, and a highly controversial article to start things out, even the routine was anything but mundane at town meeting 2000. The tax due date on

article, and noted some things disposed of went to the firemen’s auction last summer.

One of the bigger questions came on use of funds the town gets back from

## Fire Chief says thanks, but “no” to raise!

(Lamoine) — One of the more amusing moments of the annual open town meeting was an attempt by School Committee member Kathy Stanley to double the salary of fire chief George “Skip” Smith. With his wife tugging on his arm to stop him from arguing for the \$1,000 raise, Chief Smith said he did not want the increase which would be way out of line with other salary increases among appointed officials. Despite the fire chief’s argument, voters amended the article to increase his pay anyway.

Chief Smith then moved to reconsider the amendment to the budget article, and was backed by those left at the meeting. Upon persuasive argument from the chief that his salary remain at \$1,000, the voters opted to vote down the amendment and keep the chief’s salary the same as the current year.

Chief Smith did call on the Selectmen to sit down with him in the upcoming year to discuss adequate funding for the fire truck reserve fund. \$5,000 was added to the fund for the coming year.

October 31st passed as usual, but not before a question about why the interest rate on unpaid taxes increases to 10.75% (answer: that's the state maximum rate). The article to sell gravel from the town gravel stocks brought a lively discussion on whether residents should be able to get gravel for their own use. (They cannot — while it may be a small amount for most, at least two major contractors are residents and it could create quite a precedent, and safety issues were the other concern). Even the article to let the town dispose of items worth less than \$1,000 had questions. Town Administrative Assistant Stu Marckoon pointed out it's the "throw out the trash

snowmobile registrations which are given to the Frenchman Bay Riders Snowmobile Club for trail maintenance. It amounts to about \$300 annually, but questions were raised about liability if there is an accident on the trails.

The final article on the warrant also generated some discussion. Harbor Master Bill Pinkham saw his amendment approved to allow for expenditure of up to half of the Harbor Fund for improvements as suggested by Friends of Lamoine State Park. Mr. Pinkham argued the other half should be held in reserve to protect against any major catastrophe at the Harbor.

## Suit Threatened

(Lamoine) — Property owner John Burns who lost a federal civil rights suit against the town has threatened to sue the town again for failure to issue a building permit for his property on Meadow Point. The Code Enforcement Officer has asked for more information regarding where the flood zone is located in relation to the proposed building, but has not yet been provided with the complete information. Until the information is received, the CEO is unable to act on the permit request.

## Budget Committee Member Resigns

(Lamoine) — Budget Committee member George Crawford's resignation was accepted by the Board of Selectmen with regret on March 9th. Mr. Crawford had served one full term and had started his second term on the committee which makes recommendations to the Lamoine Town Meeting. No replacement on the five member committee was immediately appointed by the Selectmen, though a few people have expressed interest.

## Shore Rd. Subdivision Approved

(Lamoine) — The Lamoine Planning Board has approved a four unit land subdivision on Shore Road from plans submitted by SARJOY, Inc. of Ellsworth. The company's principal owner is Steve Joy who presented the plan to the Board at its regular meeting in March.

SARJOY purchased half the lot formerly owned by Lawrence Collier, and is subdividing it's half only. Lots range from a little over an acre to an 8-acre parcel along the shorefront. A

building permit has already been issued for the shorefront lot.

During the public hearing prior to approval, neighbors said they had concerns about run-off from the new lots encroaching onto their land. The Planning Board apparently felt comfortable that resulting run-off would be dealt with adequately. The Board also stipulated that the road into the subdivision be built up to standards outlined in the Building and Land Use Ordinance. The vote to approve the application was unanimous.

## Inspection complaint spurs changes in Building Permit Tracking

(Lamoine) — A Cove Road couple might feel like they're starring in a remake of the movie "The Money Pit". Michael & Susan Scott built a new home in the subdivision off Lamoine Beach, and have had their share of troubles with various contractors. They also managed to obtain a certificate of occupancy issued by the Code Enforcement Officer before she had looked over all aspects of the project that require inspection. It turned out neither the Scott's, nor the plumber hired by their contractor, had bothered to apply for an internal plumbing permit which would have triggered an inspection of the plumbing prior to the certificate of occupancy.

An inspection of the plumbing by neighbor Terry Towne, the former plumbing inspector for Mt. Desert, turned up several serious plumbing violations that would have been caught had Lamoine's plumbing inspector been called to inspect the pipes. Mr. Towne and the Scotts filed several complaints with the State of Maine and the Lamoine Selectmen concerning the oversight. The State sent an inspector to the house who agreed that

many violations existed in the plumbing and heating (which is not inspected at the town level), and the plumber who failed to obtain a permit is likely to be in big trouble.

The Selectmen and Code Enforcement Officer have worked to devise a checklist to help ensure this doesn't happen again on any project. The list will be attached to each permit application, and all areas must be effectively dealt with or not applicable to the project before the occupancy certificate is issued.

The Selectmen have also strongly encouraged the CEO to seek expert help when things don't look quite right on building inspections. It was noted the CEO is not an expert plumber, site evaluator, carpenter, electrician, but is expected to pass judgment on the work of such professionals in the line of building inspections. If expert help is requested by the CEO because the work may not be done by licensed professionals, the permit holder should be notified in advance that it will be at their expense, and that it will increase the amount of time it takes to issue the occupancy certificate.

## Agreement reached on illegal deck

(Lamoine) — Linden Lane resident Lynn Tscheiller and the Selectmen have agreed to abide by an upcoming survey (at her expense) as to how much of a deck should be allowed on her home. The Board of Appeals denied a variance requested by Ms Tscheiller as the deck was too close to the 25-foot setback of an abutting property owner.

The Selectmen then ordered removal of the portion of the deck in apparent violation of the setback requirement. The problem is, no one seems to know exactly where the abutting property line sits in relation to the deck.

Meeting with the Selectmen in February, Ms. Tscheiller agreed to hire an Ellsworth surveying company to locate the line, and to remove the offending portion of deck to comply with local ordinance. The deck was added to her new home as an afterthought and without a building permit last summer. A complaint from another potential abutting landowner prompted the action. The Selectmen and Appeals Board realize it was an oversight on Ms. Tscheiller and her contractor's part and have not imposed any fines.

# New Railings Installed at Town Hall

(Lamoine) — Folks entering the town hall will have something a lot more sturdy to hold on to. New stainless steel railings now adorn the steps and the ramp at the Town Hall. They were installed by C & C Machine Shop, which is owned by Selectman Chair Glenn Crawford. The contractor for the project was Bangor Steel Company.

The Selectmen had set aside \$1,500 from the previous year's budget for the railings after discovering the old aluminum railings were in flimsy condition. The full bill came to \$4,250 and will come from the administration account for town hall repairs.





















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